

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

ERNESTO MANJARES,

Plaintiff,

v.

YAKIMA COUNTY AND YAKIMA  
DEPARTMENT OF ASSIGNED  
COUNSEL/PROSECUTORS OFFICE,

Defendants.

NO: 13-CV-3085-JTR

ORDER ADOPTING REPORT AND  
RECOMMENDATION AND  
DISMISSING ACTION

BEFORE THE COURT is Magistrate Judge Rodgers' Report and Recommendation to deny *in forma pauperis* status and to dismiss Plaintiff's Complaint (ECF No. 9). Mr. Manjares initiated this action while incarcerated at the Yakima County Jail. On September 5, 2013, he notified the Court of a change of address to a residence in Union Gap, Washington (ECF No. 6).

By Order filed October 23, 2013, the Court directed Mr. Manjares to comply with the filing fee requirements of 28 U.S.C. § 1915(a)(1), or to pay the filing fee

ORDER ADOPTING REPORT AND RECOMMENDATION AND  
DISMISSING ACTION -- 1

1 under 28 U.S.C. § 1914 (ECF No. 7). Mail sent to Mr. Manjares at the Union Gap  
2 address was returned as undeliverable. The District Court Executive attempted but  
3 was unable to find a current address for Mr. Manjares.


4 Plaintiff has failed to keep the Court apprised of his address. A copy of the  
5 Report and Recommendation filed on November 27, 2013, was also returned on  
6 December 11, 2013, with the notation, "Return to Sender, Attempted not Known,  
7 Unable to Forward."

8 For the reasons set forth above and in the Report and Recommendation of  
9 Magistrate Judge Rodgers, **IT IS ORDERED** the Report and Recommendation,  
10 ECF No. 9, is **ADOPTED in its entirety**. Plaintiff is **DENIED** *in forma pauperis*  
11 status and this action is **DISMISSED without prejudice**, for failure to comply  
12 with the filing fee provisions of 28 U.S.C. §§ 1914(a) and 1915(b).

13 **IT IS SO ORDERED.** The District Court Executive is directed to enter this  
14 Order, enter judgment, forward copies to Plaintiff at his last known address, and  
15 close the file. The Court certifies any appeal of this dismissal would not be taken  
16 in good faith.

17 **DATED** December 18, 2013.



  
THOMAS O. RICE  
United States District Judge